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March 2, 2001

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

In Re: *Petition for Interconnection Arbitration by DIECA Communications, Inc. d/b/a  
Covad Communications Company, Inc. Against BellSouth Telecommunications,  
Inc.*  
Docket No. 00-01130

Dear David:

Please find enclosed the original and thirteen copies of a replacement cover letter for a filing made by Covad Communications Company's regarding Objections to BellSouth Telecommunications, Inc.'s First Interrogatories and First Request for Production of Documents in the above captioned proceeding. The cover letter attached to the filing on March 2, 2001 contained the wrong caption. We apologize for any inconvenience.

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

  
Henry Walker

HW/nl  
Attachment  
c: Parties

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

<b>In re:</b>	)	
<b>Petition for Interconnection Arbitration</b>	)	
<b>By DIECA Communications, Inc., d/b/a</b>	)	<b>Docket No. 00-01130</b>
<b>Covad Communications Company, Inc.</b>	)	
<b>Against BellSouth Telecommunications, Inc.</b>	)	

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**OBJECTIONS OF COVAD COMMUNICATIONS COMPANY TO BELL SOUTH  
TELECOMMUNICATIONS, INC.'S FIRST INTERROGATORIES AND REQUESTS  
FOR PRODUCTION**

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DIECA Communications, Inc. d/b/a Covad Communication Company ("Covad") makes the following objections to Interrogatories and Requests for Production of Documents served on it by BellSouth Telecommunications, Inc. ("BellSouth").

**INTERROGATORIES**

2. Please identify each of the work steps involved when BellSouth provisions an xDSL loop to a CLEC.

**OBJECTION:**

Covad objects to this interrogatory on the basis that it requests information that is solely in the possession of BellSouth and its affiliates. The extent to which Covad understands BellSouth's xDSL loop provisioning process is based upon representations and statements made by BellSouth to Covad, other CLECs, and regulatory agencies. As a result, Covad has no independent means of verifying whether that process is as BellSouth claims it to be.

4. Please identify each customer which has “demand[ed]” that Covad inform them “when Covad can provide them with DSL service” as described in Paragraph 17 of the Petition.

**OBJECTION:**

Covad objects to this interrogatory on the basis that it overly broad, unduly burdensome, vague, and requests information not reasonably related to the resolution of any issue raised by Covad’s Petition for Arbitration. In addition, Covad objects to this interrogatory to the extent that it requests information that would cause Covad to violate customer proprietary network information rules, confidentiality clauses in customer contracts, and other applicable consumer protection or privacy rules, standards or requirements.

5. Please state the basis for your statement in Paragraph 19 of the Petition that “[i]n two years of operation in the BellSouth territory, BellSouth has repeatedly and unilaterally cancelled Covad unbundled loop orders – oftentimes on the date BellSouth originally promised to provide the loop (the FOC date).” In responding to this interrogatory, separately identify each and every instance of cancellation.

**OBJECTION:**

Covad objects to this interrogatory as overly broad and unduly burdensome because it would require Covad to sift through over a thousand orders and individually note cancellations. In addition, Covad objects to this interrogatory to the extent that it requests information that would cause Covad to violate customer proprietary network information rules, confidentiality clauses in customer contracts, and other applicable consumer protection or privacy rules, standards or requirements. Additionally, since BellSouth cancelled these orders, BellSouth has this information in its possession or control.

8. Please identify each central office in which Covad believes POTS splitters were installed improperly as stated in Paragraph 38 of the Petition.

**OBJECTION:**

Covad objects to this interrogatory on the basis that it requires Covad to speculate about information exclusively in the hands of BellSouth and about which BellSouth may or may not have provided Covad adequate, complete or accurate information.

11. Please identify every assumption supporting BellSouth's proposed rates which you believe is flawed, as asserted in Paragraph 42 of the Petition

**OBJECTION:**

Covad objects to this interrogatory as unduly broad, overly burdensome, and procedurally premature and defective, at least to the extent it requests information from Covad more appropriately raised in direct testimony upon completion of discovery. With respect to collocation rates, BellSouth has not produced to Covad a cost study supporting its new rates in Tennessee. Therefore, Covad has nothing to critique.

12. Please identify every task time supporting BellSouth's proposed rates which you believe is inflated, as asserted in Paragraph 42 of the Petition.

**OBJECTION:**

Covad objects to this interrogatory as unduly broad, overly burdensome, and procedurally premature and defective, at least to the extent it requests information from Covad more appropriately raised in direct testimony upon completion of discovery.

13. Please identify every work group supporting BellSouth's proposed rates which you believe is unnecessary, as asserted in Paragraph 42 of the Petition.

**OBJECTION:**

Covad objects to this interrogatory as unduly broad, overly burdensome, and procedurally premature and defective, at least to the extent it requests information from Covad more appropriately raised in direct testimony upon completion of discovery.

14. Please identify each loop model from which BellSouth's proposed rates are derived and identify every respect in which those loop models "do not comply with TELRIC" as stated in Paragraph 42 of the Petition.

**OBJECTION:**

Covad objects to this interrogatory as unduly broad, overly burdensome, and procedurally premature and defective, at least to the extent it requests information from Covad more appropriately raised in direct testimony upon completion of discovery.

### **REQUEST FOR PRODUCTION**

1. Please produce a copy of every document in your possession which refers or relates to any of the responses you provided to the foregoing Interrogatories.

### **OBJECTION:**

Covad objects to this Request for Production No. 1 on the basis that it is overbroad, unduly burdensome, vague, ambiguous and not reasonably related or tailored to the subject matter of any issue presented in Covad's Petition for Arbitration. Furthermore, Covad objects to the Request on the grounds that it includes a request for documents that may be subject to the attorney-client and/or attorney work product privilege.

## **REQUEST FOR PRODUCTION**

2. Please produce a copy of any correspondence between Covad and BellSouth concerning the ordering or provisioning of any unbundled network elements and/or any request for collocation space.

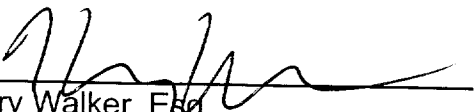
### **OBJECTION:**

Covad objects to this Request for Production No. 2 on the basis that it is overbroad, unduly burdensome, vague, ambiguous, and not reasonably related or tailored to the subject matter of any issue presented in Covad's Petition for Arbitration. For example, because BellSouth has failed to implement electronic ordering systems, Covad has been forced in place order via facsimile. Presumably, every order ever faxed to BellSouth, every service order ever faxed to BellSouth, and every clarification or jeopardy notice ever received by Covad would be encompassed within this request. Furthermore, Covad objects to this request on the grounds that it requests production of information already in the possession or control of BellSouth.

Furthermore, this request would presumably require Covad to produce every collocation application ever submitted to BellSouth, an entirely wasteful and unnecessary process, since BellSouth presumably has these applications.

Respectfully submitted,

**THE DATA COALITION**

  
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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, and/or hand delivered to the following on this the 2<sup>nd</sup> day of March, 2001.

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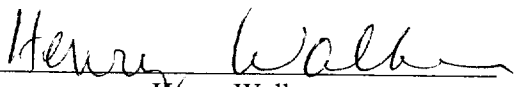
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